

REMARKS

Claims 8-13 and 17-20 are pending in the present application, and claims 17-20 are presently added.

The Examiner has required election in the present application between:

Group I, claims 1, 3-7, drawn to method for identifying a ion channel inhibitor;

Group II, claim 2, drawn to method of making a pharmaceutical composition;

Group III, claims 8-10, drawn to dextromethorphan derivative;

Group IV, claims 11-13, drawn to a compound;

Group VI, claims 14, 15, drawn to computer system; and

Group VII, claim 16, drawn to method for treatment of plural disorders.

For the purpose of examination of the present application, Applicants elect, with traverse, Group III, Claims 8-10.

Traverse is as follows.

Applicants request rejoinder of the claims of Group IV, claims 11-13. In particular, the Examiner has set forth the compounds of claims 11-13 in a separate group deeming them “not classifiable because of indefiniteness of its structure”. Applicants disagree. Claim 11 is broad, but it is not indefinite. Applicants note the nature of the compound as claimed in claim 11 is defined as including hydrophobic group that is an alkyl chain or ring structure having a defined number of carbon atoms, and linked to a hydrogen bond accepting group that is one of three groups by a linker of defined length. Claims 12 and especially 13 further define the hydrophobic group. Applicants submit that a search by patent class is well within the searching skills of the

Examiner and is not unduly burdensome. Applicants suggest that the Examiner search at least class 514, subclass 289 and class 546, subclass 74. Applicants submit that a proper search of the claims of Group III would discover the prior art relevant to the claims of Group IV, and accordingly request rejoinder of the claims of Group IV to the present application.

CONCLUSION

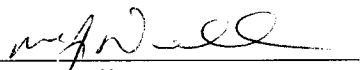
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark Nuell, Registration No 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☒ Attached is a Petition for Extension of Time.
- ☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 16, 2007

Respectfully submitted,

By 
Mark J. Nuell
Registration No.: 36,623
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant